

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE SANBORN LIBRARY LLC,

Plaintiff and Counterclaim-
Defendant, and

ENVIRONMENTAL DATA RESOURCES, LLC,

Counterclaim-Defendant,

v.

ERIS INFORMATION INC., ERIS INFORMATION
LIMITED PARTNERSHIP, and ECO LOG
ENVIRONMENTAL RISK INFORMATION SERVICES
LTD.,

Defendants and Counterclaim
Plaintiffs.

No. 1:19-cv-02049-JHR-OTW

NOTICE OF MOTION

PLEASE TAKE NOTICE that, pursuant to Rule 56, Fed. R. Civ. P., upon the accompanying Memorandum of Law, Rule 56.1 Statement of Undisputed Material Facts, Request for Judicial Notice, the Declarations of Carol LeNoury, Mark Mattei, Mark Melville, Justin A. MacLean, and the exhibits annexed thereto, as well as all prior papers and proceedings herein, Defendants and Counterclaim-Plaintiffs ERIS Information Inc., ERIS Information Limited Partnership, and Eco Log Environmental Risk Information Services Ltd. (collectively, “ERIS”) will move this Court, before the Honorable Jennifer H. Rearden, at the Daniel Patrick Moynihan United States Courthouse, located at 500 Pearl Street, Courtroom 12-B, New York, New York 10007, at a date and time to be set by the Court, for an Order granting summary judgment that ERIS does not infringe the alleged copyright rights or violate Sections 1202(a) and 1202(b) of the Digital Millennium Copyright Act (“DMCA”) as asserted by Plaintiff and Counterclaim-Defendant The Sanborn Library LLC (“TSL” or,

individually or collectively with Counter-Defendant Environmental Data Resources, LLC, “EDR”), and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court’s June 10, 2019 Order of Reference to a Magistrate Judge (Dkt. 29), ERIS’ motion being referred to the Honorable Ona T. Wang, at the Daniel Patrick Moynihan United States Courthouse, located at 500 Pearl Street, Courtroom 20D, New York, New York 10007, ERIS respectfully requests the issuance of a Report and Recommendation that ERIS’ motion be granted.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court’s December 22, 2022 Order (Dkt. 224), any opposing affidavits and answering memoranda shall be served on or before June 8, 2023, and reply papers shall be served on or before August 23, 2023.

New York, NY
March 3, 2023

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